



## Central Administrative Tribunal Jammu Bench, Jammu

T.A. No. 4592/2020  
(Cont. No.170/2012 in SWP No.336/1995)

Wednesday, this the 3<sup>rd</sup> day of March, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Pradeep Kumar, Member (A)**

Ghulam Ahmad Allaie  
s/o Gh. Hassan Allaie  
r/o Sundipora, Budgam  
(Age 55 years)

..Applicant  
(*Nemo* for applicant)

### Versus

Mst. Naseem  
Deputy Registrar/Secretary to Cooperative  
Consumer Store, Budgam

..Respondent  
(Mr. Sudesh Magotra, Deputy Advocate General)

### ORDER (ORAL)

**Mr. Justice L. Narasimha Reddy:**

The applicant herein filed SWP No.336/1995 with a prayer to consider his claim for promotion to the post of Assistant Manager. The SWP was disposed of on 02.09.2009 directing the respondents to consider the claim of the applicant for promotion to the post of Assistant Manager. Complaining that the order of the Hon'ble High Court of Jammu & Kashmir was not implemented, the applicant filed Contempt Case No.170/2012. It

was alleged that despite a specific direction, no action has been taken thereon.

3. The contempt case has since been transferred to the Tribunal in view of the re-organization of State of Jammu & Kashmir and re-numbered as T.A. No.4592/2020.



4. On behalf of the respondents, a detailed counter affidavit is filed. It is stated that the applicant did not work in any government organization and that he was only a member of Cooperative Society. It was also stated that the wages of the employees of the Societies were being paid out of the commission earned by the Societies. The further plea was that the applicant was promoted as Assistant Manager, but the same was withdrawn by virtue of the order dated 02.02.1995. The applicant is said to have agreed to work on consolidated pay.

5. Today, there is no representation for the applicant and we heard Mr. Sudesh Magotra, learned Deputy Advocate General, and perused the records.

6. The order passed by the Hon'ble High Court was almost on a concession by the parties that they would be satisfied if the SWP is disposed of with such a direction. This Tribunal does not have jurisdiction in respect of matters pertaining to Cooperative Societies. However, we are disposing of the contempt case for the reason that the authorities of the State Government, namely, Secretary, Registrar, Deputy Registrar and the District

Development Commissioner / Chairman of the Cooperative Societies are made parties. From the facts revealed in the contempt case, it cannot be stated that there was any contempt on the part of the respondents. In case the applicant has any rights to enforce against the Cooperative Societies, it would be open for him to do so, in accordance with law.



7. The contempt case is accordingly closed. There shall be no order as to costs.

**( Pradeep Kumar )**  
Member (A)

**( Justice L. Narasimha Reddy )**  
Chairman

**March 3, 2021**  
/dkm/sd/sunil/jyoti/